

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KASHON K. SQUIRE,

Plaintiff,

-against-

ORDER  
20-CV-3641 (JS) (ST)

SHAQUAISUR BROOKS, LINDA HOPE,  
LILLIAN SQUIRE, DSS, CPS,

Defendants.

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APPEARANCES

For Plaintiff: Kashon K. Squire, pro se  
640783  
Suffolk County Correctional Facility  
110 Center Drive  
Riverhead, NY 11798

For Defendants: No appearances.

SEYBERT, District Judge:

On August 12, 2020, incarcerated pro se plaintiff Kashon K. Squire ("Plaintiff") filed a Complaint together with an application to proceed in forma pauperis. For the reasons that follow, the application to proceed in forma pauperis is DENIED WITHOUT PREJUDICE and with leave to renew upon completion of the AO 239 in forma pauperis application form. Alternatively, Plaintiff may remit the \$400.00 filing fee.<sup>1</sup>

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<sup>1</sup> Once paid, there are no refunds of the filing fee regardless of the outcome of the case. Accordingly, Plaintiff is encouraged to review the substance of his claims and to consider whether this Court may be divested of subject matter jurisdiction to adjudicate his claims challenging rulings in his underlying state court criminal and child custody cases. In addition, Plaintiff is encouraged to review Rule 8 of the Federal Rules of

On the in forma pauperis application, Plaintiff has written 0.00 as the amount of wages he receives and reports that he has not received any money from any source within the last twelve (12) months. (See IFP Mot., D.E. 2, ¶¶ 2-3.) Plaintiff avers that he has \$0.00 in cash or in a checking or savings account and wrote "cars" in response to the question that calls for the description and value of any items owned of value, such as automobiles, real estate, stocks, bonds, art work, etc. (IFP Mot., ¶ 5.) Plaintiff has left blank the question that asks for the amount of regular monthly expenses, including housing, transportation, or utilities even though he provides a residential address in his Complaint. (IFP Mot., ¶¶ 4-6, Compl. ¶ I.) In response to the question on the form that asks for the names (or initials only for minor children) of all persons who are dependent on Plaintiff for support and how much he contributes towards their support, Plaintiff wrote only "5 kids." (IFP Mot., ¶ 7.) Finally, in the space that calls for the description of "[a]ny debts or financial obligations (describe the amounts owed and to whom they are payable)", Plaintiff wrote "N/A". (IFP Mot., ¶ 8.)

Thus, because the vague and incomplete responses provided by Plaintiff on the in forma pauperis application do not

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Civil Procedure and consider whether his sparse allegations satisfy the pleading requirements of Rule 8.

permit the Court to conclude that Plaintiff is qualified to proceed in forma pauperis, Plaintiff's application is DENIED WITHOUT PREJUDICE to a renewal thereof upon completion of the AO 239 in forma pauperis application form annexed to this Order. Under the circumstances, Plaintiff can best set forth his current financial position on the long form in forma pauperis application (AO 239). Plaintiff is directed to either remit the \$400.00 filing fee or complete and return the enclosed in forma pauperis application within fourteen (14) days from the date of this Order. Plaintiff is cautioned that a failure to timely comply with this Order will lead to the dismissal of the Complaint without prejudice and judgment will enter.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

The Clerk of Court is directed to mail a copy of this Order and the AO 239 in forma pauperis application form to Plaintiff at his last known address.

SO ORDERED.

Dated: September 8, 2020  
Central Islip, New York

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.